

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SKYLINE STEEL, LLC,

Plaintiff,

v.

PILEPRO, LLC,

Defendant.

CIVIL ACTION NO. 13 Civ. 8171 (JMF)

JURY TRIAL REQUESTED

**NOTICE OF AGREED STIPULATION AND [PROPOSED] ORDER
FOR POST-TRIAL BRIEFING SCHEDULE**

Please take Notice that Plaintiff Skyline Steel, LLC and Defendant PilePro, LLC by their undersigned counsel, hereby agree and stipulate to items 1 through 3 below as follows:

1. Because the Court has not entered judgment on any issue in the case, including those decided by the jury, the parties stipulate and agree that they have preserved their rights to make Rule 50 motions on any and all grounds addressed to the verdict and that such motions may be briefed pursuant to the schedule set forth herein.
2. Phase 1 of briefing from the parties will include any motions directed to the verdict and matters remaining open for the Court to decide relating to damages and injunctive relief. This would not include any motion for attorney fees, expenses or costs including, without limitation, any such motion under 35 U.S.C. § 285 or 15 U.S.C. § 1117 as it relates to attorney fees. Filing deadlines shall be as follows:

January 20, 2017	Opening Motions
February 17, 2017	Responses/Oppositions
March 3, 2017	Replies

3. Phase 2 of the briefing will be Skyline's motion for attorney fees, costs and expenses under applicable law, including for example, without limitation, 35 U.S.C. § 285, 15 U.S.C. § 1117, and N.Y. Gen. Bus. Law. §§ 349 and 350. Page limits will be 35 pages for the motion, 35 for the response/opposition, and 20 for

the reply. The filing deadline shall be 30 days after the Court enters its decisions on all of the motions of Phase 1, or subject to further order of the Court. PilePro shall have 30 days to respond/oppose, and Skyline shall have 15 days to reply.

Regarding page limits for Phase 1 briefing, due to the number of issues to be briefed, Skyline respectfully requests 45 pages for opening motions, 45 pages for oppositions, and 25 pages for replies. PilePro opposes Skyline's proposal, and requests 25 pages for opening motions, 25 pages for oppositions, and 15 pages for replies.

DATED: December 14, 2016
New York, New York

CONLEY ROSE, P.C.

/s/ Darlene F. Ghavimi

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SO ORDERED:

JESSE M. FURMAN
United States District Judge

December 14, 2016